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FILED
DEC 23 1993
CLERK, U. S. DIST. COURT
BY me DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

WACO DIVISION

UNITED STATES OF AMERICA §
 §
v. § Criminal No. W-93-CR-83
 §
GREGORY ALLEN LININGHAM §

ORDER

Came on this date to be considered the Defendant's Motion for Extension of Time to File Appellant's Notice of Appeal and Find Appellant's Notice of Appeal is Timely Filed. The Court, having considered said motion, finds that it has merit and should be granted. The Court finds that Defendant's failure to file Notice of Appeal within ten (10) days was due to excusable neglect. Accordingly, it is

ORDERED that the Defendant's Motion for Extension of Time to File Appellant's Notice of Appeal and Find Appellant's Notice of Appeal is Timely Filed is GRANTED. The Clerk of the Court is directed to file Defendant's Notice of Appeal and for said Notice of Appeal to be considered timely filed.

SIGNED this 23rd day of December, 1993.

Walter S. Smith, Jr.
WALTER S. SMITH, JR.
UNITED STATES DISTRICT JUDGE